

NATIONAL IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW IN BANGLADESH

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1. Introduction

The mechanisms for implementing International Law at the domestic level in general become increasingly abstruse and sophisticated to the point that it is sometimes difficult to ascertain who, in the final analysis, has the responsibility for applying it. However, in the case of implementation of International Humanitarian Law, the International Committee of Red Cross (ICRC) does not assume principal function in this matter. It is the parties to the Geneva Conventions, which have the obligation to respect and ensure respect for the rules of International Humanitarian Law contained in the Conventions.¹ Thus, implementation and enforcement of International Humanitarian Law is the primary responsibility of the states concerned. The role of international bodies, such as the ICRC, has been to undertake activities designed to encourage and induce national governments to fulfill their responsibilities in accordance with the relevant international standards; to engage governments in cooperative procedures aimed at assisting them in the implementation of internationally recognized standards and in overcoming difficulties that they may be experiencing in that regard; and to respond to, or attempt to deal with, violations of the internationally recognized rules.²

2. State of Ratification by Bangladesh of Conventions Concerning International Humanitarian Law

Since its emergence as an independent state, Bangladesh has become the 132nd High Contracting Party³ to the four Geneva Conventions⁴ of 1949

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1. By virtue of Article 1 common to the four Conventions and Article I, paragraph 1 of Additional Protocol I, the High Contracting Parties promise "to respect and to ensure respect for" these instruments in all circumstances.
 2. See, Ramcharan, B.G., "The Role of International Bodies in the Implementation and Enforcement of Humanitarian Law and Human Rights in Non-International Armed Conflicts", in *The American University Law Review*, Vol. 33, No. 1, 1983, p.99.
 3. See, *International Review of Red Cross*, No, 135, Geneva, 1972, p.333.
 4. *First Convention*: Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of 12 August 1949; *Second Convention*: Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, of 12 August 1949; *Third Convention*: Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949; *Fourth Convention*: Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949.

and has declared itself bound by virtue of the previous ratification of those Conventions by the state of Pakistan.⁵ Moreover, on 21 December, 1971 the United Nations Security Council had also called upon "all those concerned to take all measures necessary to preserve human life and for the observance of the Geneva Conventions of 1949 and to apply in full their provisions as regards the protection of wounded and sick, prisoners and civilian population".⁶ There has been no objection to the assumption of such responsibilities by the state of Bangladesh. The government has ratified 1977 Protocols⁷ Additional to the Geneva Conventions.⁸

The other Conventions concerning Humanitarian Law ratified by Bangladesh are: the 1972 Biological Weapons Convention, the 1976 Environmental Modification Convention, the 1980 Conventional Weapons and its four Protocols (including the amended Protocol II), the 1993 Chemical Weapons Convention, and the 1997 Ottawa Anti-personnel Landmines Convention and the 2000 Optional Protocol to the Convention on Rights of the Child. The government, however, has not ratified the 1954 Cultural Property Convention and its Protocol.

3. Status and Implications of International Humanitarian Law in the Domestic Legal Regime

The Constitution of Bangladesh was adopted on 4 November 1972 and came into force on 16 December 1972. Human rights agenda had been in the fore-front of the country's liberation struggle. The country's respect for human rights and fundamental freedom dates back from the Proclamation of Independence of 10 April 1971. The Proclamation, *inter alia* reads "... we undertake to observe... and to abide by the Charter of the United Nations".⁹ The Constitution in its Preamble provides "... it shall

5. See, *International Review of Red Cross*, No, 135, Geneva, 1972, p.333. The formal letter was received by the Swiss Federal Council on April 4, 1972.

6. See, Res. 307, 26 U.N. SCOR (1621st mtg.) 2, U.N. Doc. S/RES/307, 1971 (vote 13-0-2).

7. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), of 8 June 1977; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), of 8 June 1977.

8. For the text of the Conventions and the Protocols see, ICRC, *Hand book of the International Red Cross and Red Crescent Movement*, Geneva, 1994, pp. 23-280.

9. See, 24 DLR, 1972.

be a fundamental aim of the state to realise ...a society in which the rule of law, fundamental human rights and freedom,... will be secured for all citizens". Article 11 envisages that the republic shall be a democracy and in which fundamental human rights and freedoms and respect for the dignity and worth of the human person shall be guaranteed.¹⁰ Article 25 delineates that the "state shall base its international relations on the principles of... respect for international Law and the principles enunciated in the United Nations Charter...".¹¹ Article 145A specifies that "all treaties¹² with foreign countries shall be submitted to the President, who shall cause them to be laid before Parliament".

From the above provisions, it is evident that the Constitution is silent on the status of International law upon the domestic legal regime, even though it does make reference to human rights and respect for international law. Accordingly, under the general principles of international law and the municipal legal regime, international treaties can become part of the domestic law in Bangladesh only if they are specifically incorporated in the law of the land. In other words, they are not self-operating in Bangladesh i.e. treaty obligations concluded by Bangladesh cannot *ipso facto* be put into effect unless an enabling legislation is passed or enacted.¹³ Further, the Constitution does not contain any specific provision, which obliges the State to enforce or implement international treaties and Conventions including implementation and enforcement of International Humanitarian Law.

4. Obligations of Bangladesh as Regards National Implementation under the Geneva Conventions of 1949 and the Protocols of 1977.

The primary responsibility for the application of humanitarian law lies with the States themselves. In accordance with the Geneva Conventions of 1949 and their Additional Protocols, States have an obligation to

10. For details see, *Constitution of the People's Republic of Bangladesh 1972*.

11. For details see, *Ibid*, Article 25.

12. The author is of opinion that here the expression 'treaty' shall not mean to include a treaty within the meaning of the Vienna Convention on the Law of the Treaties but 'treaties' concluded by the government of Bangladesh with another foreign state or states. Thus, the term 'treaty' here essentially refers to 'international agreements' between states within the meaning of Article 3 of the Vienna Convention. It may be recalled that Article 5 of the Vienna Convention states that the Convention applies to any treaty, which is the constituent instrument of an international organisation while Article 1(i) states 'international organisation' means an intergovernmental organisation.

13. See, Rashid, H., *International Law*, Dhaka, 1998, p.23.

ensure implementation of and respect for humanitarian law, and to that end to adopt, in peacetime, a set of legislative, regulatory and administrative measures at the national level.¹⁴ Thus, as a state party to the various Geneva Conventions and its Protocols, the government of Bangladesh has some obligations including the followings:

(a) Repression of Breaches of Humanitarian Law at the National Level through Legislative Enactment providing Effective Penal Sanctions

Humanitarian law lays down the principle of individual penal responsibility. But penal proceedings can only be instituted if the acts in question are punishable under national law. In the event of an allegation of a serious violation of humanitarian law, Bangladesh as a State Party is obliged to bring criminal charges against the suspect, regardless of his or her nationality or the place where the act was committed, or to extradite the suspect to another State. Furthermore, Bangladesh as a State Party has the responsibility to enact legislation necessary to provide penal sanctions and measures necessary to prevent breaches of Humanitarian Law.¹⁵ The government of Bangladesh is yet to enact specific legislation to this effect. The only law that has some bearing is the *International Crimes Tribunal Act, 1973*.¹⁶

(b) Communication of Translations of the Conventions and Protocols and Laws of Application during Hostilities

As a High Contracting Party to the Conventions and the Protocols, Bangladesh has an obligation to communicate to other state parties during hostilities, the official translations of the Conventions, as well as the laws and regulations it enacts to ensure application of the Conventions. Such laws and regulations of application refer mainly to the legislative, regulatory or administrative measures which must be adopted in peacetime in order to allow the application of the rules of Humanitarian Law in times of armed conflict.¹⁷ Since independence the state of Bangladesh has not experienced any hostilities and as such has remained outside the purview of compliance with these provisions.

14. For obligation of states generally, see, ICRC, *National Mechanisms for the Implementation of International Humanitarian Law*, Geneva, 1996, pp.4-5.

15. See, Articles 49, 50, 129 and 146 respectively of the four Geneva Conventions and Articles 11 and 85 of Protocol I.

16. For details see, discussion under the heading "International Humanitarian Law having Bearing on Domestic Legislative Measures" of this paper.

17. See, Articles 48, 49, 128 and 145 respectively of the four Geneva Conventions and Articles 80 and 84 of the Protocol I.

(c) Protection of the Red cross/Red Crescent Emblem

The Red Cross and the Red Crescent are signs protected by humanitarian law. Their use and the use of other protected distinctive signs, must be regulated by the Government of Bangladesh in accordance with the provisions of law as envisaged by the Geneva Conventions and the Protocols. Unauthorised use of these signs must be prohibited and sanctioned by appropriate national legislation.¹⁸ The prevalent legislation on this aspect is the Geneva Conventions Implementing Act 1936. This law which predates the Geneva Conventions of 1949 falls far short of the compliance requirement under the Conventions.¹⁹ Following recommendations of a symposium on emblem protection held in 1999, organised by the ICRC and the Bangladesh Red Crescent Society, the ICRC Advisory Services Department has prepared and submitted an updated draft on emblem legislation in the same year. The government of Bangladesh is yet to take any measure.

(d) Dissemination of Knowledge of the Rules of Humanitarian Law

With the sole exception of the 1954 Hague Convention for the Protection of Cultural Property, the four Geneva Convention of 1949 and their two additional Protocols are virtually the only instruments in International Law, that expressly impose obligation on state parties to take all necessary measures, to make the treaty provisions adequately known to the categories of people, likely to be in situations in which they must be applied. Humanitarian Law is an integral part of teaching and training programmes for the armed forces in Bangladesh. However, the obligation of the government that the knowledge of the principles and rules of Humanitarian Law should be disseminated as extensively as possible among the population during peace time²⁰ requires practical measures of implementation on the part of the government.

(e) Undertaking Material Preparations to Ensure Respect for and Compliance of International Humanitarian Law

There is a series of provisions laying down practical measures to ensure

18. See, in particular, Articles 38 of the First Geneva Convention; Articles 41 of the Second Convention; Articles 8, 18, 38 and 85, para. 3(f), of Protocol I, Annex 1 to Protocol I; and Article 12 of Protocol II.

19. For details see, discussion under the heading ‘International Humanitarian Law having Bearing on Domestic Legislative Measures’ of this paper.

20. See, Articles 47, 48, 127 and 144 respectively of the four Geneva Conventions; Article 83 of Protocol I; and Article 19 of Protocol II; see also, Protocol I, Article 6, “Qualified persons”, Article 82, “Legal advisers in armed forces”; and Article 87, “Duty of commanders”.

respect for and the protection of persons and property protected by the law in the event of armed conflict. For example, the protective Red Cross/Red Crescent emblem must be used to identify medical personnel and to mark hospitals, medical units and transports; hospital ships must be equipped with the prescribed radio signal; military targets must be kept away from densely populated areas and located in such a way that they may be easily distinguished from civilian objects at all times.²¹

(f) Recognising the Competence of the International Fact-Finding Commission

This refers in particular to measures that must be taken to enable international implementation mechanisms to operate properly in the event of hostilities. One example is acceptance of the competence of the international Fact-Finding Commission, which is dependent upon a declaration to be made by the government. Though the declaration may be made at any time, it should preferably be made before the need arises for an inquiry into a breach of Humanitarian Law.²² The government of Bangladesh has not yet made any declaration pursuant to Article 90 of Protocol I, recognising the competence of the International Humanitarian Fact-Finding Commission.

5. Constitutional Provisions Reflective of the Principles of International Humanitarian Law

The Constitution of the People's Republic of Bangladesh guarantees certain fundamental human rights to citizens as well as non-citizens. Such as right to life and personal liberty, safeguard as to arrest and detention, prohibition against forced labour, protection in respect of trial and punishment etc., but not 'war crimes' or 'grave breaches'²³ of the Geneva Conventions, in the strict sense of the term.

21. See, for example, Article 23 and 26 of the First Convention, Article 39 of the Second Convention and Articles 12 to 31 of Protocol I.

22. See, Article 90 of Protocol I.

23. 'Grave breaches' are defined under each of the Conventions and they include generally willful killing, torture or to inhumane treatment including biological experiments, willfully causing great suffering or serious injury to body or health, extensive destruction and appropriation of property not justified by military necessity and carried out unlawfully and wantonly. They also include compelling a prisoner of war to serve in the forces of the hostile power or willfully depriving a prisoner of war of the rights of fair trial and regular trial prescribed in the Convention, unlawful deportation or transfer or unlawful confinement of a protected person and taking them as hostages. See, Article 50 of the First Convention; Article 51 of the Second Convention; Article 130 of the Third Convention and Article 147 of the Fourth Convention.

It is, however, interesting to note that there are a few provisions in the Constitution, which have some bearing on International Humanitarian Law principles. The Preamble to the Constitution, which declares the general purposes for which the several provisions in the Constitution have been made, "...assures international peace and cooperation..." which is the basic objective of the International Humanitarian Law. Similarly, the right to life and personal liberty are guaranteed under the Constitution to 'any person'—which expression includes citizens as well as non-citizens—have close resemblance to the International Humanitarian Law principles. Thus, Article 32 of the Constitution which proclaims, "no person shall be deprived of his life or personal liberty save in accordance with law", is a guarantee against 'grave breaches' of the Conventions.

The principles of equality, non-discrimination and absence of arbitrariness in Articles 27 and 28 of the Constitution, are a clear replica of the principles of International Humanitarian Law incorporated in the various Geneva Conventions and the Additional Protocols. Yet another constitutional provision which has some relevance to International Humanitarian Law principles is the one contained in Article 35 which deals with certain safeguards and protection to persons accused of crimes. This Article prohibits against retrospective criminal law, double jeopardy and self-incrimination. Some of these principles can be found in the Geneva Conventions also. Similarly, the principles as specified in Article 33 of the Constitution dealing with protection against arrest and detention in certain cases are also found in some of the provisions of the Geneva Convention.

Thus, even though the Constitution does not directly provide for the implementation of International Humanitarian Law principles, the constitutional obligation of the judiciary to enforce these fundamental human rights may indirectly uphold the principles of International Humanitarian Law as enshrined in the Geneva Conventions.

6. International Humanitarian Law having Bearing on Domestic Legislative Measures

The first effort to implement humanitarian law, albeit partially, was the passing of, in 1936, the *Geneva Convention Implementing Act, 1936*.²⁴ Since

24. Act No. XIV of 1936; See, *The Bangladesh Code*, Vol. No. XI, Dhaka, 1988, pp. 367-368.

then it has been amended several times²⁵ the last being in 1974. It was initially enacted to implement article 28 of the Geneva Convention of 1929, which dealt with protection of the emblem of the Red Crescent and Red Cross etc. It was subsequently amended²⁶ with a view to implementing article 53 of the First Geneva Convention of 1949, which replaced the 1929 Convention. Section 2 of the Act deals with the protection of the use of emblems. It reads as follows:

No person other than a person entitled thereto under the Geneva Convention shall use, or in any manner exhibit, whether for the purpose of trade or business or for any other purpose or object whatsoever, the emblem or the designation "Red Cross", "Red Crescent", "Red Lion and Sun" or "Sun" or any sign of designation constituting an imitation thereof, irrespective of the date of the adoption of any such emblems or designation by such person.

Section 4 of the Act prescribes punishment for violation of the above provision, which is Taka 50 only.²⁷ No Criminal Court can take cognizance of any offence punishable under this law except with the previous sanction of the government.²⁸ The law further does not indicate who is responsible for authorising the use of the emblem. The Act is silent regarding 'grave breaches' of the Geneva Conventions and trial procedures. The law, thus, is inadequate and unsatisfactory in itself.

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25. *Chronological list of amendment:* The Government of India (Adaptation of Indian Laws) Order, 1937; the Adaptation of Central Acts and Ordinances 1949 (G.G.O. IV of 1949); the Federal Laws (Revision and Declaration) Act, 1951 (Act No. XXVI of 1951); the Central Laws (Statute Reform) Ordinance, 1960, (Ordinance. No. XXI of 1960); the Geneva Convention Implementation (Amendment) Act, 1963 (Act No. XXI of 1963); the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973) as amended by the Bangladesh Laws (Revision and Declaration) (Amendment) Act, 1974, (Act No. LIII of 1974).
 26. The Bangladesh Laws (Revision and Declaration) Act, 1973, as amended by the Bangladesh Laws (Revision and Declaration) (Amendment) Act, 1974.
 27. It is of interest to note that since the enactment of the law, it has been amended seven times but the amount of penalty Taka 50, has remained unchanged. For list of amendment, see above, note 25.
 28. Section 5 of the Geneva Convention Implementing Act, 1936.

Another piece of legislation, which has direct nexus to Humanitarian Law, is the *Bangladesh Red Cross Society Order, 1973*²⁹ by which the Bangladesh Red Crescent Society was established. Article 4 of the Order envisages that the Society shall in all its activities observe neutrality, impartiality, independence, universality, humanity and all other basic principles and shall adhere to the Statute of the of the International Committee of Red Cross and the Geneva Conventions. Article 5 of the Order, read with the First Schedule of the Order lays down the objectives of the Society, which as it appears are drawn from the Geneva Conventions and its Protocols. The objectives *inter alia* include: (a) aid to sick and wounded members of the Armed forces of Bangladesh in accordance with the terms and spirit of the Geneva Conventions and discharge of other obligations devolving upon the Society under the Conventions as the recognised auxiliary of the Armed Forces Medical Services; and (b) prevention and alleviation of human suffering with complete impartiality, making no discrimination as to nationality, race, sex, religion, belief, class or political opinions.

The other legislation where the Geneva Conventions have an important bearing, is the *International Crimes Tribunal Act, 1973*.³⁰ The long title of the Act refers it as "an Act to provide for detention, prosecution and punishment of persons for genocide, crimes against humanity, war crimes and other crimes under international law".³¹ According to Section 3 of the Act, the Tribunal has Jurisdiction to try Crimes against Humanity,³²

29. President's Order No. 26 1973. See, *Bangladesh Gazette Extraordinary*, dated March 31, 1973.

30. Act No XIX of 1973. See, *Bangladesh Gazette Extraordinary*, dated 20 July 1973.

31. See, *Ibid*.

32. Namely, murder, extermination, enslavement, deportation, imprisonment, abduction, confinement, torture, rape or other inhumane acts committed against any civilian population or persecutions on political, racial, ethnic or religious grounds, whether or not in violation of the domestic law of the country where perpetrated. See, Section 3(2)(a).

Crimes against Peace,³³ Genocide,³⁴ War Crimes,³⁵ violation of any humanitarian rules applicable in armed conflicts laid down in the Geneva Conventions of 1949 and any other crimes under international law.³⁶ The Tribunal has been vested with the power to try and punish any person irrespective of his nationality who, being a member of any armed, defense or auxiliary forces commits or has committed the above mentioned crimes, in the territory of Bangladesh.³⁷

The 1973 Act represents an important recognition and implementation of international due process guarantees for the accused of international crimes. The Act goes beyond the Nuremberg guarantees. Furthermore, it is far more useful evidence of present legal expectation than the 1950 and 1951 United Nations Command Rules of Criminal Procedure.³⁸ But the Act is not satisfactory in terms of implementing the obligations of Bangladesh under the Geneva Conventions and Additional Protocols. Because, it does not provide for universal jurisdiction in relation to 'grave breaches', that is, jurisdiction regardless of the nationality of the alleged perpetrator and the place where the crime was committed. It should however be borne in mind that the *International Crimes Tribunal Act, 1973* was not enacted to implement the Geneva Conventions and its

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33. Namely, planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances. See, Section 3(2)(b).
34. Meaning and including any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial, religious or political group, such as: (i) killing members of the group; (ii) causing serious bodily or mental harm to members of the group; (iii) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (iv) imposing measures intended to prevent births within the group; (v) forcibly transferring children of the group to another group. See, Section 3(2)(c).
35. Namely, violation of laws or customs of war which include but are not limited to murder, ill-treatment or deportation to slave labour or for any other purpose of civilian population in the territory of Bangladesh; murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages and detainees, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity. See, Section 3(2)(d).
36. See, Section 3 of the International Crimes (Tribunal) Act, 1973.
37. Id.
38. See, Paust, J.J., and Blaustein, A.P., "War Crimes Jurisdiction and Due Process: The Bangladesh Experience", in *Vanderbilt Journal of Transnational Law*, Vol. 11, No.1, 1978, p.38.

Protocols but to try those accused of war crimes during the war of liberation in 1971.

It will not be out of place to indicate that the International Crimes trial never took place, not because of lack of jurisdiction but because of politics. The issue of international crime and criminal jurisdiction had become so intermeshed with post-war regional disputes and global politics that Bangladesh finally agreed³⁹ in 1974 to allow India to repatriate the 195 alleged violators of Geneva Conventions to Pakistan. Even though, Pakistan did not agree to prosecute grave breaches of the 1949 Geneva Conventions. Thus, it can be said that neither India, Pakistan, nor Bangladesh had lived up to their responsibilities under the Geneva Conventions to search out and prosecute, or extradite for prosecution, those accused of grave breaches of the Geneva Conventions.

7. Conclusion

The adoption by the international community of the various Conventions relating to Humanitarian Law is not an academic exercise. Its object is to bring about effective and harmonised progress in the national law and practice. One of the factors influencing the effectiveness of these international standards is the degree to which they are formally accepted by member states. Thus, adoption of Conventions, strictly speaking, is only a first stage, the intention is that these standards should be embodied in the law of the member countries is the second stage; and the actual implementation and enforcement of these standards at the domestic

39. An agreement was concluded on the 9th of April between India, Pakistan and Bangladesh. A news account reported the April 9, agreement as follows: "NEW DELHI, April 9 – India Pakistan and Bangladesh reached a major breakthrough tonight and signed an agreement to repatriate 195 Pakistani prisoners of war... [T]he war-crimes trial planned for Pakistani prisoners by Bangladesh, the former Eastern wing of Pakistan would be dropped..."

"The trials, tribulations, tensions, and conflicts of the subcontinent will become a thing of the past, something of a bad dream that is best forgotten," said India's Foreign Minister, moments after the signing of the agreement.

The Bangladesh Foreign Minister, "This is a moment for satisfaction. The efforts for enduring peace in the subcontinent will put an end to conflict and confrontation, and the 700 million people of the subcontinent will be able to live as good neighbors". Quoted from, Paust, J.J., and Blaustein, A.P., "War Crimes Jurisdiction and Due Process: The Bangladesh Experience", in *Vanderbilt Journal of Transnational Law*, Vol. 11, No.1, 1978, p.37. See also, *The N.Y. Times*, April 10, 1974, at page 1 col. 5.

level is the final stage. Hence treaties, which constitute International Humanitarian Law, could well remain a dead letter unless internal legal and practical measures for implementation are taken within State system to guarantee their application.

It is evident from the preceding discussion, that the government of Bangladesh has not yet passed appropriate legislation to give effect to the 1949 Geneva Conventions and its Protocols. It is expected that positive steps would be adopted in near future to promulgate suitable legislation for implementing International Humanitarian Law in its proper perspective to suit and meet the needs of the time. At the same time, it is suggested that the *Geneva Conventions Implementing Act, 1936* which is incomplete and unsatisfactory in terms of fulfilling the obligations of the government of Bangladesh under the Geneva Convention should be repealed by suitable and appropriate legislation.

The implementation of International Humanitarian Law is a continuous process which covers a very wide range of activities i.e., legislative, administrative, practical, educational etc., affecting various government spheres and many sectors of public life. It requires coordination by and cooperation of number of Ministries, administrative authorities, State entities and other national institutions. Hence, for the promotion of implementation of International Humanitarian law at the national level, a National Committee may be formed which would be in a position to evaluate national legislation, judicial decisions and administrative provisions in the light of the obligations steaming from the Geneva Conventions and their additional Protocols. The Committee should submit to the government, and specifically to the authorities concerned and the legislature, advisory opinions on issues relating to the application of humanitarian law and formulate necessary recommendations. The proposed Committee should play a significant role in encouraging dissemination of humanitarian law and, to that end, should have the necessary authority to carry out studies and propose activities and assist in spreading knowledge of humanitarian law at all levels of civil society. The Bangladesh Red Crescent Society should assist and cooperate with the government in fulfilling the obligation of the government. Finally, it must be emphasised that if the humanitarian rules are to be implemented in times of war, the government of Bangladesh must take action in peace time, by enacting necessary laws, by adopting internal regulations and administrative measures, and by making the Conventions and Protocols as widely known as possible.